



**City of Bellevue
Department of Planning & Community Development
Land Use Division Staff Report**

Proposal Name: Wolter Preliminary Short Plat

Proposal Address: 1023 143rd Ave. SE

Proposal Description: Subdivide one 0.44 acre single family residential lot into two residential lots in the R-5 zoning district.

File Number: 07-122445-LN

Applicant: Thomas Wolter

Decisions Included: Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200

**State Environmental Policy Act
Threshold Determination:** SEPA Exempt pursuant to WAC 197-11-800(6)(a),
BCC 22.02.032

Department Decision: **Approval with Conditions**

Carol Saari

Carol Saari, Associate Planner
Dept. of Planning and Community Development

Notice of Application: 09/06/07
Minimum Comment Period: 09/20/07
Decision Publication Date: 01/17/08
Appeal Deadline: 01/31/08

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 p.m. on the date noted for appeal of the decision.

I. DESCRIPTION OF PROPOSALS

The applicant proposes to short plat an existing 0.44 acre lot into two single family residential lots in the R-5 zoning district. There is an existing house on Lot 1 which will remain. The existing garage on Lot 2 will be removed as a part of this short plat since it will violate setbacks. See condition IX.C.1. The existing driveway will be improved and used to gain access to both lots. See Attachment A, Short Plat Drawings.

II. SITE DESCRIPTION AND CONTEXT

The site is located in the West Lake Hills neighborhood, about ¾ miles northeast of the Bel-East Shopping Center (QFC). The site is surrounded by single family homes to the north, south, east and west, all within the R-5 zoning district. See Attachments B and C, Vicinity Map and Zoning Map.

Access to the new lots will be from the existing driveway off of 143rd Ave. SE. The site is generally flat. There are no slopes exceeding 15% onsite. There are no protected areas or associated buffers onsite. The site contains 28 significant trees, 7 of which will be retained.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION			
Zoning District	R-5		
Gross Site Area	0.44 acres (19,283 Square Feet)		
ITEM	REQ'D/ALLOWED	PROPOSED	
Minimum Lot Area	7,200 Square Feet	Lot 1: 8,428 Square Feet Lot 2: 10,855 Square Feet	
Minimum Lot Width	60 Feet	Lot 1: 62 Feet Lot 2: 67 Feet	
Minimum Lot Depth	80 Feet	Lot 1: 133 Feet Lot 2: 161 Feet	
Minimum Street Frontage	30 Feet	Lot 1: 47 Feet Lot 2: 30 Feet	
Building Setbacks		Lot 1:	Lot 2: Not to exceed:
Front Yard	20 Feet	66 Feet	20 Feet
Rear Yard	20 Feet	33 Feet	20 Feet
Min. Side Yard	5 Feet	10 Feet	5 Feet
2 Side Yards	15 Feet	23 Feet	15 Feet
Access Easement	10 Feet	20 Feet	10 Feet
Lot Coverage	40%	Lot 1: 13% with existing house Lot 2: Not to exceed 40%	
Impervious Surface	55%	Lot 1: 30% with existing house Lot 2: Not to exceed 55%	
Tree Retention	15% or 53 Diameter Inches out of a total of 353 Diameter Inches of Significant Trees Onsite. <u>See condition IX.C.2.</u>	30% or 103 Diameter Inches	

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

This project does not require review under SEPA. Short Plats not containing Protected Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

The City has adequate capacity for providing water, sanitary sewer and storm drainage service for this proposal. The Utility Department approval of the preliminary short plat application is based on the conceptual utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications. See condition IX.A.1.

Water Service:

The existing 3/4" meter can be re-used for Lot 1 if it is appropriately sized for the new house. A fire sprinkler system or high plumbing fixture count may warrant a larger meter. A water service for Lot 2 can be applied and paid for at any time.

Sewer Service:

A multi-use side sewer permit will be needed to install the shared sewer. Connection permits will then be required for each new house.

Storm Drainage:

A multi-use storm connection permit can be used to install the storm drain in the Right-of-Way, and stubs for each lot. The houses can connect to the stubs under subsequent building permits.

Storm water Runoff Control and Treatment:

The Preliminary Short Plat drawing indicates that the applicant intends to leave the existing house. This allows the new lot to fall under the single family exemption. Note that application for redevelopment, such as demolition of the existing house, within 12 months from the short plat recording would eliminate the single family exemption and the requirement for runoff control would be applied to the entire short plat, regardless of ownership of the lots at the time.

B. Fire Department Review

The Fire Department has reviewed the proposal and has no comments or conditions.

C. Transportation Department Review

The Transportation Department recommends approval subject to the review comments and conditions herein. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC

14.60) and the Transportation Design Manual prior to approval of the subsequent plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements.

Under BCC 22.16, payment of the transportation impact fee for each new house will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the city council. Builders will pay the fee in effect at the time of building permit issuance.

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. This permit is issued directly by the Transportation Department. Contact Jon Regalia (regalia@bellevuewa.gov; 425-452-4599) or Tim Stever (tstever@bellevuewa.gov; 425-452-4294) to coordinate right-of-way permitting. See conditions IX.B.1 and 2.

Street Frontage Improvements

The Wolter Short Plat is located at the northwest corner of the intersection of 143rd Avenue SE and SE 12th Street across from Lake Hills Elementary School. The city has previously installed frontage improvements (concrete sidewalk with curb and gutter) at the northwest corner of the intersection extending to 55 feet (approximately) along the site's eastern property line. The developer is required to continue the sidewalk for the full length of the site's eastern property line (with curb, gutter and storm water utilities: catch basins, storm pipe, etc.) for an additional 100 feet (approximately). In addition to the sidewalk, the developer is required to relocate all existing above grade power lines adjacent to the project site to below grade.

The developer will be responsible for any damages to city infrastructure caused by construction activities associated with this project.

See conditions IX.B.3 and C.3.

Site Access

Access for the Wolter Short Plat shall be provided by a joint-use driveway connecting to 143rd Avenue NE. Sight distance, access grade, and intersection clearance at the access location are in compliance to Transportation Standards and Codes (or have been designed to be acceptable to the Transportation Department). See conditions IX.B.4 and C.3.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are, "No Street Cuts Permitted", "Overlay Required", and "Standard Trench Restoration". Each category has different trench restoration requirements associated with it.

The Wolter Short Plat sits adjacent to 143rd Avenue SE and SE 13th Place (which turns into SE 12th Street just past the site limits heading east). Specific pavement restoration categories for each street are given below:

143rd Avenue SE ("Standard Trench Restoration"):

Pavement restoration shall be per applicable Development Manual drawings ROW-1 through ROW-7.

SE 13th Place ("No Cut Street"):

A waiver from the City's Right-of-Way Manager will be required (contact Jon Regalia or Tim Stever to coordinate waiver; contact information mentioned above). The waiver will be an element within the required right-of-way permit for this project. Minimum pavement restoration for "No Cut" streets is a full grind and overlay extending 50 feet from each side of the trench cut, extending for the entire width of the street.

The Right-of-Way Manager reserves the right to amend pavement restoration requirements dependent upon the City's Overlay Schedule, existing condition of affected pavement, and damage to existing pavement caused by construction activities related with this project.

Pavement Restoration classifications and corresponding restoration requirements must be shown on the final engineering plans for this project.

See condition IX.B.5.

Transportation Impacts and Mitigation

City staff has analyzed the potential short term operational impacts as well as long term transportation impacts of this proposal in order to recommend appropriate mitigation. Short term transportation analysis consisted of driveway operations at the access connection to 143rd Avenue SE, the site's access location as it relates to the nearby intersection of 143rd Avenue NE and SE 12th Street, sight distance, and pedestrian safety. Sight distance and driveway grade at the access location are in compliance or will be designed to meet Transportation Code and Standards. The joint-use driveway

has been located as far as possible from the intersection to ensure that vehicular ingress and egress generated by the short plat will not affect intersection operations.

Long term transportation impacts generated by this project will be minimal due to the project's low trip generation: one new p.m. peak hour trip, and ten new daily trips.

There is ample capacity on 143rd Avenue SE and nearby system intersections to accommodate the new trips (peak and daily trips). Concurrency testing will not be required as the threshold for testing has not been triggered (new developments that generate 30 or more p.m. peak hour trips require concurrency testing).

See condition IX.D.1.

VI. PUBLIC COMMENT

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *Seattle Times* on September 6, 2007. The notice was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day.

There are no parties of record. The City received one phone call from an adjacent neighbor who was concerned about the existing yard debris and tree branches overhanging onto her property. She was instructed to call the applicant. Although she was told how to become a party of record, she declined to do so.

VII. DECISION CRITERIA

Land Use Code Section 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. The lots will be accessed via an existing driveway. Existing public water, sewer and storm water runoff facilities have been deemed adequate to serve the proposed development, with required connections.

2. The public interest is served by the short subdivision.

Finding: The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan while ensuring compliance with City codes and standards.

3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.

Finding: The preliminary short plat considers the physical characteristics of the site by establishing tree retention along property lines which will continue the wooded character of the neighborhood.

4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.

Development Standards

Finding: As conditioned, the proposal complies with the Land Use Code requirements for the R-5 zoning district, the Utility Code and the City of Bellevue Development Standards. The existing garage will be removed as a part of this short plat. See condition IX.C.1.

Land Use Code Requirements

A. Dimensional Requirements: Refer to Section III.B. for dimensional requirements.

Finding: As conditioned, all of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-5 dimensional requirements. As noted above, the existing garage will be removed as a part of this short plat. See condition IX.C.1.

B. Significant Tree Preservation: Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 15% of significant trees on the site. In order to meet the 15% minimum retention requirement, the project must retain a minimum of 53 diameter inches of significant trees.

Finding: The applicant proposes to preserve a total of 103 diameter inches or 30% of the significant trees onsite. This satisfies the minimum 15% tree retention requirements. See condition IX.C.2.

5. **The proposal is in accord with the Comprehensive Plan (BCC Title 21).**

Finding: The site is located within the Southeast Bellevue Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property which is consistent with the R-5 zoning designation. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea.

The single family homes are, by use type, compatible with surrounding neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (Policy LU-3) and helps meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5).

The proposal provides development on infill or under-utilized sites with adequate urban services (HO-17) and meets the Neighborhood Quality goal (Housing Element) to ensure compatible housing and environmentally sensitive features by preserving healthy significant existing trees on-site.

6. **Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

Finding: As conditioned, each lot can reasonably be developed to current R-5 zoning standards without requiring a variance. See condition IX.C.4. The existing garage will be removed as a part of this short plat since it will violate setbacks. See condition IX.C.1.

7. **All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access, necessary sidewalk easements and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

VIII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of Planning and Community Development does hereby **approve** the Wolter Preliminary Short Plat **with conditions**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and .160.

IX. Conditions of Approval:

The following conditions are imposed under authority referenced:

A. GENERAL CONDITIONS:

1. UTILITIES

Utilities Department approval is based on the preliminary utility design only. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities. Sewer and Storm Permits are required for the engineering review and inspection of the sewer and storm drainage improvements per Utility Code. A Water service application is required for the new lot. The applications and submittal requirements are available from the Utility Representative at the Permit Center at any time.

Authority: Bellevue City Code Title 24.02, 24.04, 24.06.120

Reviewer: Joy Ramshur, Utilities Department

B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one right of way use permit may be required, such as one for hauling and one for construction work within the right of way. A right of way use permit regulates activity within the city right of way, including but not limited to the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.
- k) Pavement restoration requirements for 143rd Avenue SE and SE 13th Place as well as a no-cut street waiver for 143rd Avenue SE.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for

preventing access.

Authority: Bellevue City Code 14.30
Reviewer: Jon Regalia, Transportation Department

2. OFF-STREET PARKING

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit.

Authority: Bellevue City Code 14.30
Reviewer: Jon Regalia, Transportation Department

3. ENGINEERING PLANS

Construction plans produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all infrastructure and street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code and the provisions of the Transportation Department Design Manual. The construction plans must correctly show all transportation-related engineering details, including but not limited to, frontage improvements along 143rd Avenue SE, the joint-use driveway, pavement restoration on 143rd Avenue SE and SE 13th Place, mailbox locations, sight distance and existing street frontage. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual
Reviewer: Ray Godinez, Transportation Department

4. SIGHT DISTANCE

To meet the sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing vegetation near the access point on 143rd Avenue SE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

Authority: Bellevue City Code 14.60.240
Reviewer: Ray Godinez, Transportation Department

5. PAVEMENT RESTORATION

The city's pavement manager has determined that the portions of 143rd Avenue SE and SE 13th Place adjacent to the Wolter Short Plat will require pavement restoration for all

trenching or damage to the street surface related to the project. Pavement restoration on 143rd Avenue SE must meet the requirements of Section 21 of the Design Manual and applicable standard drawings ROW-1 through ROW-7. Pavement restoration on SE 13th Place will require a full grind and overlay extending 50 feet from each side of the trench cut, for the full width of the street. Prior to any street cut on SE 13th Place, the applicant must obtain a waiver from the City's Right-of-Way Manager due to the fact that this street is classified as a "No-Cut" street. Waivers will be granted for utility connections for new developments.

Specific pavement restoration requirements will be given in the right-of-way permit for this project.

Authority: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
Reviewer: Jon Regalia, Transportation Department

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. EXISTING GARAGE TO BE DEMOLISHED

The applicant shall remove the existing garage prior to final short plat approval. City inspection shall verify that this structure has been removed.

AUTHORITY: Land Use Code 20.20.010
REVIEWER: Carol Saari, Planning and Community Development Department

2. TREE RETENTION

The final short plat shall portray a minimum of 53 diameter inches of existing significant trees to remain. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the final short plat mylar. The Tree Preservation Plan must contain the following note:

"Tree Preservation Plan:

Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree

Preservation Plan and this covenant.”

An arborist report shall be provided to document the health of each tree to be saved. During plat engineering, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

Authority: Land Use Code 20.20.900.D

Reviewer: Carol Saari, Planning and Community Development Department

3. INFRASTRUCTURE IMPROVEMENTS

All infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Land Use Code Section 20.40.490 allows a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements or needed repairs to city right-of-way (caused by construction activities) that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements are detailed below:

a) Site Specific Items:

- i) Six foot wide concrete sidewalk with curb, gutter and corresponding drainage utilities (catch basins, storm pipe, etc.).
- ii) All above grade power poles must be buried.

b) Miscellaneous:

- i) Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- ii) The maximum longitudinal and cross-sectional grades shall not exceed 8%.
- iii) Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- iv) The internal joint-use driveway shall not be gated or obstructed and must remain open at all times for emergency and public service vehicles. A note to this effect shall be placed on the face of the final short plat map.
- v) The maintenance responsibility for the internal joint-use driveway shall be the shared responsibility of all lot owners served by the joint-use driveway. A note to

this effect must be indicated on the face of the final Subdivision map.

Authority: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241;
LUC 20.40.490, Transportation Department Design Manual Sections 3, 4,
5, 7, 11, 14, 19

Reviewer: Ray Godinez, Transportation Department

4. VARIANCE RESTRICTION

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

Authority: Land Use Code 20.45B.130.A.6

Reviewer: Carol Saari, Planning and Community Development Department

D. PRIOR TO BUILDING PERMIT ISSUANCE:

1. TRANSPORTATION IMPACT FEE

The developer shall pay the Transportation Impact Fee prior to issuance of the final building permit. Impact Fee for this project is 464.17 per new home. This project is located in Impact Fee Area #9. Impact fees are subject to change, and therefore may increase at the time of building permit issuance. The developer will be responsible for the most current assessed fee.

Authority: Bellevue City Code 22.16

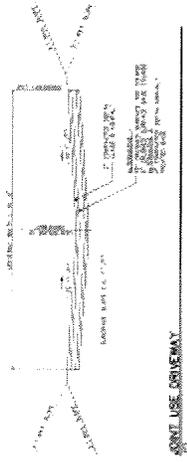
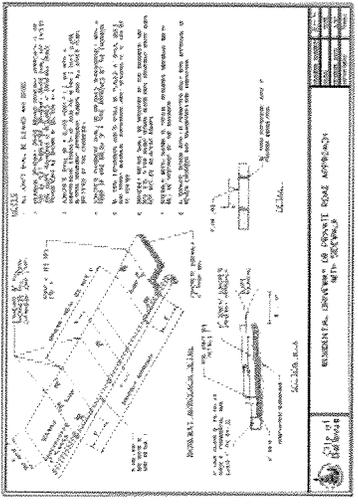
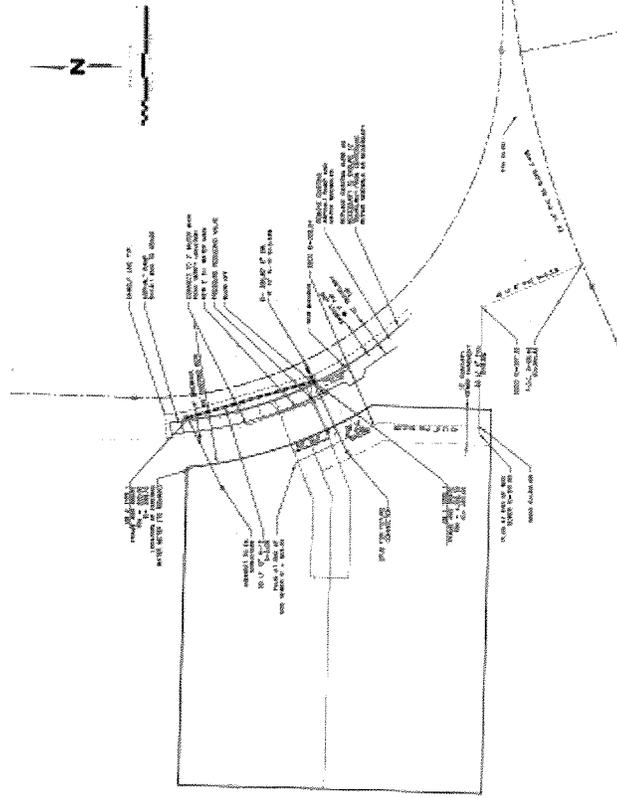
Reviewer: Ray Godinez, Transportation Department

LIST OF ATTACHMENTS

- A. Short Plat Drawings
- B. Vicinity Map
- C. Zoning Map

WOLTER SHORT PLAT

NE 1/4 SEC. 3, TWP. 24 N. AGE. 5 E. N.M.



PRELIMINARY SHORT PLAT
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 BELLEVUE, WA
 KING COUNTY

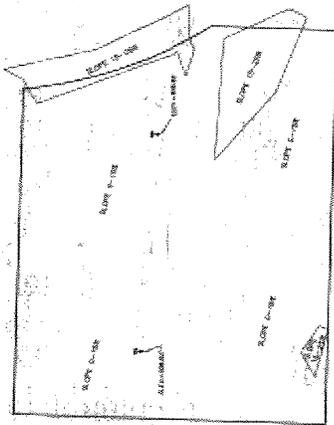
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NO.	DATE	DESCRIPTION
1	10/15/2024	PRELIMINARY SHORT PLAT
2	11/05/2024	REVISIONS
3	11/15/2024	REVISIONS
4	11/25/2024	REVISIONS
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WOLTER SHORT PLAT
 NE 1/4 SEC. 3, TWP. 24 N. RGE. 5 E., W.M.



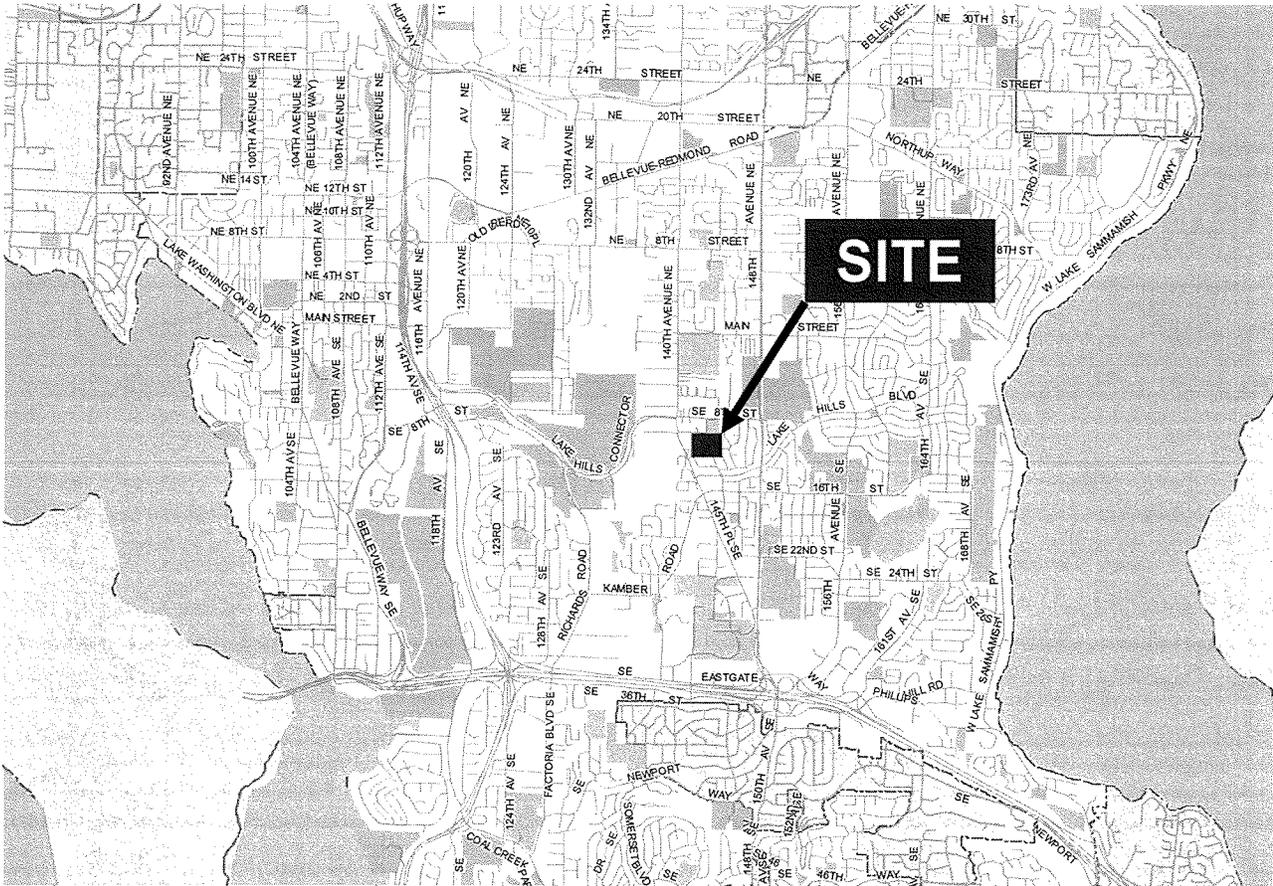
PRELIMINARY SHORT PLAT
 SURVEY CATEGORICAL MAP
 1823 153RD AVE SE
 BELLEVUE, WA
 KING COUNTY

THOMAS WOLTER
 1823 153RD AVE SE
 BELLEVUE, WA 98007
 (206) 291-3520



DATE: 11/11/11
 SHEET NO.: 001
 PROJECT NO.: 11111
 DRAWN BY: T.W.
 CHECKED BY: T.W.

Vicinity Map



Zoning Map

